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December 27, 2012

Via: Electronic Filing

The Honorable Judge Denis R. Hurley
United States District Court
100 Federal Plaza
Central Islip, New York 11722

Re: *Lohan v. Perez, et al.*, CV-11-5413(DRH) (ARL)

Dear Judge Hurley:

Pursuant to this Court's Individual Practice Rule 3(B), the undersigned attorney for plaintiff, Lindsay Lohan ("Plaintiff"), respectfully requests the Court waive its pre-motion conference or briefing schedule requirement and grant the plaintiff leave to file a responding affidavit to the Court's sealed Order dated August 28, 2012.

Plaintiff's counsel, like Defendants' counsel, did not initially receive the Court's sealed Order dated August 28, 2012, at or about the time the Order was issued by the Court. Yesterday, Plaintiff's counsel (through Defendant's counsel) first received a copy of the August 28th Order. In light of these circumstances, Plaintiff's counsel was not able to comply with the 10 day deadline to submit its affidavit.

For the aforementioned reasons, Plaintiff respectfully requests the Court waive its pre-motion conference or briefing schedule requirement and grant the plaintiff leave to file a responding affidavit to the Court's sealed Order dated August 28, 2012 despite the deadline's expiration. Alternatively, Plaintiff requests a pre-motion conference on this motion.

Respectfully Submitted,

Stephanie G. Ovadia

cc: Pery D. Krinsky; Marcos Daniel Jimenez; Sarah Gibbs Leivick; Audrey M. Pumariega.